HOUSING INTENSIFICATION

Discussion Paper No. 3

CONFLICT RESOLUTION

METROPOLITAN PLAN REVIEW

The Municipality of Metropolitan Toronto

Housing Intensification

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COMMUNITY CONFLICT RESOLUTION CENTRES: A RESOURCE FOR NEIGHBOURHOOD PLANNERS

Prepared by the Policy Development Division of the

Metropolitan Toronto Planning Department

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HOUSING INTENSIFICATION DISCUSSION PAPER #3

COMMUNITY CONFLICT RESOLUTION CENTRES: A RESOURCE FOR NEIGHBOURHOOD PLANNERS

INTRODUCTION

The promotion of housing intensification at the local level can be a difficult process given the intensity of emotions that arise when discussing change in neighbourhoods. Housing intensification is frequently opposed by ratepayer groups, and residents in general because of fears generated by anticipated relaxation of the zoning regulations. Commonly expressed concerns such as decline in property values, increased densities, parking and traffic congestion present a challenge to planners to alleviate fears and show how many of these concerns can be overcome or reduced in impact. However, the intensity of emotion which often accompanies public meetings suggest that residents often feel threatened by these proposed changes to a degree beyond what might normally be expected. This reaction may be due to a perceived lessening of the power of the individual to influence the development of the neighbourhood generally, but perhaps more importantly, in proposed alterations or modifications to buildings in their immediate proximity.

Many communities have created overly restrictive zoning in order to tightly control change and development. Property owners have supported this stance due to fears that unless change is restricted, it will disrupt the established way of life, negatively influence property values or cause changes to the established social or economic class of the community. While few would argue that zoning regulations are unnecessary or do not serve an important function in preserving and strengthening communities, many zoning regulations contain provisions that are not only prohibitive but are arbitrary in nature. The restrictiveness of these by-laws ensure that all proposals for change, no matter what amount, require local approval which often involves confrontation between applicant and neighbours.

Often times the results of this process is less than satisfactory for all parties involved. Applicants are often intimidated by the process and spend much time and energy presenting their proposal before a municipal council or committee of adjustment. Outstanding objections will delay the process further until a final decision is reached by the Ontario Municipal Board. The objectors also spend

considerable time and money arguing against a particular application in an attempt to minimize the external impacts on the neighbourhood. However, without an effective way to regulate behaviour and address conflicts quickly, on a case by case basis, neighbourhood disputes will continue to erode community life.

Conflict resolution is a new and relatively unknown field in Canada although it is gaining in popularity as experience with this process grows. It is in widespread use across the United States. This process will be of special interest to planners, who typically find themselves involved in community conflicts and are frequently looked to for solutions, because this process offers an alternative method for dispute resolution.

OBJECTIVES

The primary objective of a conflict resolution service is to assist local residents to meet and discuss neighbourhood conflicts or personal disputes in a supportive and impartial environment. Through this process local residents are empowered with the ability to make decisions and resolve conflicts on their own terms. As a result, individuals begin to take responsibility for their own actions and strive collectively to improve interpersonal relations and neighbourhood life generally.

PROCESS

Typically most cases start when one of the parties involved in the dispute requests the services of the conflict resolution service. A volunteer visits the first party and discusses the nature of the conflict, how the service can assist them and how the process works. Next, the volunteer contacts the second party involved in the conflict to present the concerns of the first party and to encourage the second party to resolve the conflict at a hearing. Then a hearing is scheduled at a time that is convenient to both parties at a neutral location within the neighbourhood.

Participation is voluntary and the agreements reached are arrived at by the disputants themselves with assistance from the panel of peers hearing the case. The panel members are typically local volunteers that receive instruction in conflict resolution. Their role is primarily to serve as a listening board for those who are appearing before them. The panel usually follows a prescribed procedure that may involve several stages or phases of discussion in order for the disputants to openly and honestly discuss the problem and arrive at a workable solution.

A final resolution is reached that is mutually satisfactory, often times accompanied by a signed statement of agreement between both parties. The strength of this agreement and the basis of its success is that it was initiated by the disputants themselves during the conflict resolution process and found to be mutually agreeable. In this way conflicts between neighbours are dissolved without the need of an arbitrator. This result has proven to be successful especially in disputes between neighbours or landlord/tenant because the process allows parties to come to an agreement that responds to the needs and desires of those individuals directly involved in the conflict. The decision that is made works for both and therefore is more likely to be successful.

IMPORTANT ATTRIBUTES OF THE PROCESS

Participants in the process benefit from the many important attributes of the process including:

- capacity to handle a wide range of disputes;
- accessible to all community members;
- informal process that is citizen-based;
- free to participants;
- community support develops for process;
- trains local residents as volunteers and educates them about conflict;
- empowers local residents and promotes community responsibility for conflict resolution; and
- preventative, early intervention process that deals with conflict before it becomes so emotionally charged that it reaches an explosive stage which may lead to violence or require intervention by police or the justice system.

ONTARIO EXAMPLES

1. CONFLICT RESOLUTION SERVICE
91 Bellevue Avenue
Toronto, Ontario

SPONSORED BY: St. Stephen's Community House
ORGANIZATIONAL STATUS: Non-Profit

DESCRIPTION: Provides a safe environment with trained concillators where community members can resolve their disputes. Provides training for individuals interested in working in the program as volunteers.

TYPE OF DISPUTES HANDLED:
Community/neighbourhood; consumer; corporate/business; family education/school; landlord/tenant; workplace disputes

PROCESSES USED: Mediation/consiliation

REFERRAL SOURCES: Legal clinics; social agencies; local politician; self

ANNUAL CASELOAD: 40

FUNDING SOURCES: Private foundations; government; donations

NUMBER OF VOLUNTEERS: 40 - 50

2. MEDIATION AND SCHOOL INITIATIVES
4401 Jane Street
Downsview, Ontario

SPONSORED BY: Conflict Mediation Services of Downsview
ORGANIZATION STATUS: Non-Profit

DESCRIPTION: Mediation: San Francisco model of trained volunteers

TYPE OF DISPUTES HANDLED:
Community/neighbourhood; education/school; family; landlord/tenant

PROCESS USED: Mediation; facilitation/collaborative problem solving

REFERRAL SOURCES: Youth Clinical Services, Children's Aid; Community organizations

ANNUAL CASELOAD: 100

NUMBER OF VOLUNTEERS: 35

INFORMATION TO THE READER

This report is a discussion paper prepared for the information of Metropolitan Council, community groups, organizations and members of the public in the review and understanding of issues related to the subject of "housing intensification." A discussion paper, when prepared, is intended to supplement the background and policy papers undertaken as part of the Metropolitan Plan Review. In the general area of housing the following reports have been prepared:

Background Reports:

- Housing Trends: 1976 - 1986
- Housing Intensification

Discussion Papers:

- No. 1 Broad Population Trends
- No. 2 Introducing Change in Metro's Communities
- No. 3 Conflict Resolution

Policy Report:

- Housing Intensification

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The next step in the process will be to prepare amendments to the Metropolitan Official Plan for adoption by Metropolitan Council which reflect the policies and recommendations of the Housing Intensification policy report. Your comments or those of your organization or community group are welcome on the contents of this or the other reports prepared in this series on housing.

Comments and inquiries should be sent to:

Metropolitan Planning Department
Policy Development Division
East Tower, 11th Floor
City Hall
Toronto, Ontario
M5H 2N1

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The "Metropolitan Plan Review" is a program to review the Official Plan For The Urban Structure: Metropolitan Toronto. The program was adopted by Metropolitan Council in March of 1986. Further information regarding the Review may be obtained from the Metropolitan Planning Department at the above address.